

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE:
Gene E. Smith

CASE NO: 14-32036

SSN# : XXX-XX-3191 DEBTOR

MOTION OF TRUSTEE TO DISMISS CASE
OR TO MODIFY PLAN

The undersigned Trustee in the above-referenced Chapter 13 case hereby moves the Court to dismiss the case, or to modify the plan in such a manner as the Court deems necessary and appropriate, for the following reason(s):

Plan payments are currently in default.

A Preliminary Hearing will be held on this motion as shown on the attached Notice, at which the Trustee will recommend to the Court to grant a variety of relief options in this case, including but not limited to dismissing the case, extending or reducing the term of the plan, reducing or increasing the plan payment, reducing the percentage paid to unsecured creditors, granting a moratorium on missed payments, granting a hardship discharge, modifying the plan to the payments made so far, allowing for a fee to the debtor's attorney for representation at the hearing, or granting any other such relief which the Court determines to be necessary and appropriate.

Dated: May 21, 2015

Warren L. Tadlock
Standing Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE:
Gene E. Smith

CASE NO: 14-32036

SSN# : XXX-XX-3191 DEBTOR

NOTICE OF MOTION OF TRUSTEE TO DISMISS CASE OR TO MODIFY PLAN

The Chapter 13 Trustee has filed papers in the bankruptcy case for the DEBTOR named above to dismiss the case or to modify the plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief requested by the Trustee in the motion, or if you want the Court to consider your views on this motion, then you or your attorney must file with the Court a written response to the motion by June 19, 2015 at the following address:

CLERK, U.S. BANKRUPTCY COURT
401 W TRADE ST.
CHARLOTTE, NC 28202

If you **mail** your response to the Court for filing, you must mail it early enough for the Court to **receive** it on or before the deadline stated above.

A Preliminary Hearing will be held on the Trustee's motion on **June 24, 2015 at 9:15 am** at the following address:

OFFICE OF THE CHAPTER 13 TRUSTEE
5970 FAIRVIEW ROAD
SUITE 650
CHARLOTTE, NC 28210-2100

If you oppose the relief sought in the Trustee's motion, you must attend the Preliminary Hearing. Failure to attend the Preliminary Hearing and to otherwise respond to the motion may result in the Court granting the relief sought. If a response is made and the motion is not resolved by consent at the Preliminary Hearing, a hearing before the Court will be scheduled.

Dated: May 21, 2015

Warren L. Tadlock
Standing Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE:
Gene E. Smith

CASE NO: 14-32036

SSN# : XXX-XX-3191 DEBTOR

CERTIFICATE OF SERVICE

The parties whose names and addresses are listed below were served by United States first class mail, postage prepaid on 5/29/2015.

L. Pascal
Office of the Chapter 13 Trustee

ASSET VENTURES LLC, 2625 MANHATTAN BEACH BLVD STE 100, REDONDO BEACH, CA 90278
ATLANTIC CITY SHOWBOAT INC, C/O PHILLIP S VAN EMBDEN PC, PO BOX 863, MILLVILLE, NJ 08332
BALLY'S PARK PLACE INC, BALLY'S ATLANTIC CITY, C/O PHILLIP S VAN EMBDEN, PO BOX 863, MILLVILLE, NJ 08332
BANK OF AMERICA, PO BOX 982235, EL PASO, TX 79998
BROCK & SCOTT PLLC, 5431 OLEANDER DR, WILMINGTON, NC 28403-5847
CABARRUS EYE CENTER, 201 LEPHILLIP CT, CONCORD, NC 28025
CABARRUS FAMILY MEDICINE, 5727 PROSPERITY CROSSING DRIVE STE 2200, CHARLOTTE, NC 28269
CITY COUNTY TAX COLLECTOR, PO BOX 31637, CHARLOTTE, NC 28231
Gene E. Smith, 12238 Wallace Ridge Drive, Charlotte, NC 28269
INTERNAL REVENUE SERVICE, PO BOX 7317, PHILADELPHIA, PA 19101-7317
INTERNAL REVENUE SERVICE, PO BOX 7346, PHILADELPHIA, PA 19101-7346
MEDICREDIT, 13730 S POINT BLVD, CHARLOTTE, NC 28273
MERRICK BANK, PO BOX 9021, OLD BETHPAGE, NY 11804
NC DEPARTMENT OF REVENUE, BANKRUPTCY UNIT, PO BOX 1168, RALEIGH, NC 27602-1168
NC HOUSING FINANCE AGENCY, 3508 BUSH STREET, RALEIGH, NC 27609
OCWEN LOAN SERVICING, PO BOX 6440, CAROL STREAM, IL 60197
PARAGON REVENUE GRP, 216 LEPHILLIP COURT, CONCORD, NC 28025
SHAPIRO & INGLE LLP, 10130 PERIMETER PARKWAY SUITE 400, CHARLOTTE, NC 28216
SUNTRUST BANK, PO BOX 85526, RICHMOND, VA 23285
TRUMP PLAZA ASSOCIATES, THE BOARDWALK AT MISSISSIPPI AVENUE, ATLANTIC CITY, NJ 08401
WELLS FARGO BANK, PO BOX 5058, MAC P6053-021, PORTLAND, OR 97208
WELLS FARGO BANK, PO BOX 63491 MAC A0143-042, SAN FRANCISCO, CA 94163

Total Served:22